

NOT FOR PUBLICATION

(Doc. No. 5)

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
CAMDEN VICINAGE**

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ESTHER GARCIA PEREZ,	:	
	:	
Plaintiff,	:	Civil No. 10-348 (RBK/KMW)
v.	:	
	:	<b>ORDER</b>
JANET NAPOLITANO, in her capacity as	:	
Secretary of the Department of Homeland	:	
Security, and DEPARTMENT OF	:	
HOMELAND SECURITY,	:	
	:	
Defendants.	:	
	:	

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**THIS MATTER** having come before the Court upon Defendants Janet Napolitano and the Department of Homeland Security's motion to dismiss Plaintiff Esther Garcia Perez's Complaint for failure to properly serve Defendants pursuant to Fed. R. Civ. P. 4(m); and the Court having considered the parties' submissions;

**IT IS HEREBY ORDERED** that, for the reasons stated in the Court's accompanying Opinion, Defendants' motion to dismiss is denied; and

**IT IS HEREBY FURTHER ORDERED** that Plaintiff has fourteen days from the date of this Order to properly serve Defendants.

Dated: 1/18/11

/s/ Robert B. Kugler  
ROBERT B. KUGLER  
United States District Judge